



#8 1/3/07

PATENT APPLICATION 2/1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q63075

Kazunobu FUJIKAWA, et al.

Appln. No. 09/763,194

Group Art Unit: 1725

Confirmation No.: 3832

Examiner: Maria Alexandra ELVE

Filed: February 20, 2001

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For: METHOD AND APPARATUS FOR SURFACE DISCHARGE PROCESSING, AND AN ELECTRODE FOR SURFACE DISCHARGE PROCESSING

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement, dated June 25, 2002, Applicants elect Group II, claims 6-10, for examination on the merits. This election is made with traverse. Applicant reserves the right to file a Divisional Application directed to non-elected claims 1-5 and 11-13.

The Examiner characterizes claims 1-5 of Group I as being directed to a method, claims 6-10 of Group II as being directed to an apparatus, and claims 11-15 as being directed to a product. In particular, claims 1-5 are directed to a surface discharge processing method, claims 6-10 are directed to a surface discharge processing apparatus, and claims 11-15 are directed to a surface discharge processing electrode.

The Examiner maintains that claims of Groups I, II and III do not relate to a single general inventive concept under PCT Rule 13.1 and 13.2 because they lack the same or corresponding special features since the apparatus may be used for cutting and/or joining materials and the electrode may be used in welding applications. Applicant respectfully submits the Examiner application of the unity of invention requirement of PCT Rule 13 to the present application is incorrect.

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PCT Rule 13 provides that where a group of inventions is claimed in an application, the requirement of unity of invention shall be fulfilled when there is a technical relationship among those inventions involving one or more of the same or corresponding technical features. The expression "special technical features" means those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes of over the prior art.

The claims of Groups I, II and III all share the common characteristic feature of present invention of a wire electrode composed of a core wire made of ductile material, and a surface discharge processing material made of a surface reforming material adhered to the core wire or a raw material for the surface reforming material. Applicant respectfully submits that is feature is equivalent to the "special technical feature according to PCT Rule 13.2. Accordingly, the requirement of unity of invention referred to in PCT Rule 13 is satisfied.

In view of the foregoing, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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